

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

Date of Decision: 18.1.2018

1.CWP No.5382 of 1998 (O&M)

Jai Parkash

... Petitioner

Versus

District Rural Development Agency, Rewari etc.

... Respondents

2.RSA No.199 of 2003 (O&M)

Arjun Lal

...Appellant

Versus

District Rural Development Agency, Rewari and others

...Respondents

3.RSA No.389 of 2003 (O&M)

Pushpa Sharma

...Appellant

Versus

District Rural Development Agency, Rewari and others

...Respondents

**CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: Mr.R.K.Malik, Sr.Advocate with  
Ms.Rimple Sohi Kadyan, Advocate  
for the petitioner & appellant(s)

Mr.Harish Rathee, Sr.DAG, Haryana

Mr.N.R.Dahiya, Advocate for respondent no.4  
in CWP No.5382 of 1998

**RAJIV NARAIN RAINA, J. (Oral)**

1. This order will dispose of CWP No.5382 of 1998 and RSA Nos.1999 and 389 of 2003 as common questions of law and facts are involved in these three cases.

2. The life of these three cases has come to an end when the petitioner and one of the respondents have either been granted the relief prayed for while final order is awaited in the case of Jai Chand, respondent no.4 in the writ petition. On this note, these three files are closed for adjudication as none is required on the statement of Mr. Rathee.

3. However, Mr.Malik, learned Sr. Counsel has brought to my notice the order passed by this Court in CWP No.3488 of 2013 (Jai Chand vs. District Rural Development Agency (DRDA), Rewari and others decided on 8<sup>th</sup> September, 2016) in which Jai Parkash was respondent no.6. The issue was with regard to seniority and promotion. Jai Chand's writ petition was dismissed on principle of *res judicata* and for non-disclosure of the civil suit in the writ petition which was held to be a case of judicial over-reach. The writ petition was dismissed as devoid of merit. Therefore, Jai Chand cannot re-agitate an issue which already stood dealt with in the aforesaid order which has attained finality.

4. On nearing the conclusion of arguments in these matters, Mr. Dahiya raked up an issue by referring to a communication dated 6<sup>th</sup> November, 2017 issued by the Additional Deputy Commissioner-cum-Chief Executive Officer, DRDA, Rewari addressed to the Director & Special Secretary, Rural Development Department, Haryana, Chandigarh with a copy to the Advocate General, Haryana, Chandigarh. He claims certain rights from therein. The document is taken on record as Mark "A".

5. Jai Chand will file an affidavit on or before the next date of hearing as to how and from whom he obtained a copy of this privileged communication between the Department of the Government and the Advocate General, Haryana. Let the affidavit be filed within 10 days.
6. List only for this purpose on 12.2.2018. Otherwise the cases are rendered infructuous and stand disposed of.

**(RAJIV NARAIN RAINA)**  
**JUDGE**

**18.1.2018**  
**MFK**

*Whether speaking/reasoned*

*Yes*

*Whether Reportable*

*No*